

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Susan Boyce, et al.  
Serial No. : (to be assigned) Case No.: T1453CA  
Filed : July 7, 2003  
For : USE OF A COX-2 INHIBITOR AND A NK-1  
RECEPTOR ANTAGONIST FOR TREATING  
INFLAMMATION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR § 1.97

Sir:

In compliance with 37 CFR § 1.97, Applicants and other individuals associated with the filing or prosecution of this application wish to bring to the attention of the Examiner the patents, publications, and other information of which they are aware, listed on the attached form PTO-1449, which they believe may be relevant to the examination of this application or may be material to patentability and in respect of which there may be a duty to disclose in accordance with 37 CFR § 1.56. Applicants respectfully request that the Examiner initial the form PTO-1449 after reviewing the pertinence of each reference.

**EXPRESS MAIL CERTIFICATE**  
DATE OF DEPOSIT July 7, 2003  
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I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS  
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This Information Disclosure Statement is not an admission that any patent, publication, or other information referred to herein is "prior art" for this invention.

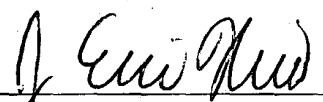
In accordance with 37 CFR § 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 CFR § 1.56(b). In accordance with 37 CFR § 1.97(g), the filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made.

Pursuant to 37 CFR § 1.97(b), this Information Disclosure Statement is being filed within three months of the filing date of the present application.

Copies of the references that are cited on the attached form PTO-1449 were previously submitted to or cited by the Office in prior application U.S. Serial Number Serial No. 09/700,776, filed November 20, 2000 (Merck Case No. T1453), upon which the instant application relies for an earlier filing date under 35 U.S.C. § 120. Therefore, pursuant to 37 CFR § 1.98(d), copies of these references are not enclosed herewith.

Any additional fees required in connection with this submission may be taken from Merck Deposit Account No. 13-2755.

Respectfully submitted,

By   
J. Eric Thies  
Reg. No. 35,382  
Attorney for Applicant

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Date: July 7, 2003

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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Office	Number	Kind Code (if known)		
		PCT	WO 96/31509		Glaxo Group Limited	10/10/1996
		PCT	WO 97/21445		Omeros Medical Systems, Inc.	06/19/1997
		PCT	WO 97/25988		Eli Lilly and Company	07/24/1997
		PCT	WO 98/06708		G.D. Searle & Co.	02/01/1998
		EP	0 577 394		Merck & Co., Inc.	01/05/1994
		UK	GB 2 287 404		Pfizer Inc.	09/20/1995

Examiner Signature		Date Considered	
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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE****STATEMENT BY APPLICANT***(use as many sheets as necessary)***COMPLETE IF KNOWN****Application Number****Filing Date**

July 7, 2003

**First Named Inventor**

Susan Boyce

**Group Art Unit****Examiner Name**

Sheet

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of

2

**Attorney Docket Number**

T1453CA

**OTHER NON PATENT LITERATURE DOCUMENTS****Examiner  
Initials\*****Cite  
No.**

Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.

Masferrer, et al., Proceedings of the National Academy of Sciences of USA, vol. 91, no. 8, pp 3228-3232, (4/1/94)Black, et al., Bioorganic & Medicinal Chemistry Letters, vol. 6, no. 6, pp 725-730, (3/19/96)Carter, et al., Expert Opinion on Therapeutic Patents, vol. 8, no. 1, pp 21-29, (1/1/98)Rosen, et al., Bioorganic & Medicinal Chemistry Letters, vol. 8, no. 3, pp 281-284, (2/3/98)Cryer, et al., Prostaglandins and Other Lipid Mediators, vol. 56, no. 5-6, pp 341-361, (August 1998)**Examiner  
Signature****Date  
Considered**